

**STATE OF GEORGIA  
COUNTY OF FULTON  
CITY OF SOUTH FULTON**

**ORDINANCE NO. 2017-032**

**ADOPTION OF AN ORDINANCE TO IMPOSE A SURCHARGE ON ALL  
FINES IMPOSED FOR VIOLATIONS OF ORDINANCES GOVERNING  
PUBLIC PARKS AND RECREATION FACILITIES IN THE CITY OF SOUTH  
FULTON**

**WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

**WHEREAS**, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

**WHEREAS**, pursuant to Section 7.16 of the City Charter, Fulton County ordinances remain applicable within the territorial limits of the City of South Fulton;

**WHEREAS**, pursuant to City Charter Section 3.10(b), the City Council is authorized to adopt ordinances and amendments it deems necessary, expedient, or helpful for the health, welfare, safety, comfort and well-being of the inhabitants of the City;

**WHEREAS**, the City Council has determined the parks and recreation facilities in the City to be a top priority; and

**WHEREAS**, the City finds it to be in the public interest to impose a surcharge on all fines issued for violations of ordinances governing public parks and recreation facilities located in the City of South Fulton.

**THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS** as follows:

**Section 1: Establishment of a Surcharge on All Fines Imposed for Violations  
of Ordinances Governing Public Parks and Recreation Facilities in the City  
of South Fulton**

**TITLE 11 – PARKS AND RECREATION**

**Sec. 11-1000. – Surcharge Added to All Fines to be Allocated for Specific  
Purposes.**

- (a) Except as otherwise provided by law, a surcharge of \$10 shall be imposed on all fines issued pursuant to this Title.

- (b) This surcharge shall be deposited in an established City of South Fulton Trust Fund Account and shall be eligible for use in funding support for the maintenance of the City's parks and recreational facilities.
- (c) This section shall apply to any fines imposed for violations of ordinances addressing public parks and recreation facilities.
- (d) Notwithstanding the foregoing, this additional surcharge shall not apply to citations exempt from add on fees by state law, nor shall the surcharge cause the total amount of fines to exceed that allowed by state law or the City Charter.

**Section 2:** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 3:** If any section, clause, sentence or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this ordinance.

**Section 4:** This ordinance shall become effective immediately upon its adoption by the City Council.

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The foregoing Ordinance No. **2017-032** adopted on **November 28, 2017**, was offered by **Mayor Pro Tem Rowell**, who moved its approval. The motion was seconded by Councilmember **Willis**, and being put to a vote, the result was as follows:

**“SECOND READING”**

	AYE	NAY
William “Bill” Edwards, Mayor	<hr/>	<hr/>
Catherine Foster Rowell, Mayor Pro Tem	<hr/> √	<hr/>
Carmalitha Lizandra Gumbs	<hr/> √	<hr/>
Helen Zenobia Willis	<hr/> √	<hr/>
Gertrude Naeema Gilyard	<hr/> Absent	<hr/>
Rosie Jackson	<hr/> √	<hr/>
khalid kamau	<hr/>	<hr/> √
Mark Baker	<hr/> √	<hr/>

THIS ORDINANCE adopted this 28<sup>th</sup> day of November 2017.

**CITY OF SOUTH FULTON, GEORGIA**

**“SECOND READING”**



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WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:



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MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:



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JOSH BELINFANTE, INTERIM CITY ATTORNEY